

REVIEW COMMITTEE DECISION

R. C. FILE NO. 86 - San Joaquin Division Grievance No. 114  
Upgrading Clerk C to Clerk B, West Fresno Office

SUBJECT OF GRIEVANCE:

A Clerk C was assigned to relieve a Clerk B in the West Fresno office for a period of five consecutive days and was paid at the Clerk C rate for such period of time. The Union claimed violation of Section 13.3 of the Clerical Agreement which reads in part:

"An employee who is temporarily assigned for 5 consecutive work days or more to replace an employee in a higher classification shall be paid the minimum wage rate of such classification or his regular wage rate plus 2-1/2%, whichever is greater, during the period of such temporary assignment."

The Division contended that the relief work assignment required the relieving employee to perform class C work only; that the B classification of the incumbent was in a sense a personal rate designated because of the employee's personal qualifications for various public relations activities.

STATEMENT AND DECISION:

If the incumbent employee in the classification in which the relief work was performed had a personal wage rate higher than the rate in the Clerical Wage Schedule authorized for his classification, or if his B classification rating was designated on record as "for incumbent only" with substantiating reasons therefor, there would be justification to pay only the C Clerk classification wage rate for the period of the temporary assignment. The record in this case is not clear. It shows that the incumbent employee has been assigned a B classification, the duties and responsibilities of which entitle him to a B Clerk rate of pay, but there is not a clear statement to the effect that only C Clerk duties are performed in the office. Under these conditions the obligations of Section 13.3 of the Clerical Contract require that the employee temporarily assigned to the job be paid at the higher wage rate for the relief work.

FOR UNION:

Russell Stone, Jr.  
Edward James  
Elmer B. Bushby

By Elmer B. Bushby

Date 1-24-1955

FOR COMPANY:

H. F. Carr  
R. J. Tilson  
V. J. Thompson

By V. J. Thompson

Date January 11, 1955